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SUITE 105
ALEXANDRIA VA 22314

In re Application of
Weniger et al.
Application No. 10/585,816
PCT No.: PCT/EP2005/000319
Int. Filing Date: 14 January 2005
Priority Date: 14 January 2004
Atty. Docket No.: 06088
For: Method For Determining Colour
Perception In Multi-Layer Systems

DECISION

This is in response to applicants' "Petition Under 37 CFR 1.117(f)" filed on 14 November 2008, which is being treated under 37 CFR 1.182.

DISCUSSION

In a Decision mailed on 10 November 2008, it was observed that

applicants have filed a newly executed declaration which nominates "Kirsten POVEL (nee Weniger)" *in lieu* of "WENIGER, Kirsten" named in the published international application. However, this change in the inventor's surname continues to constitute a change whose acceptance requires a formal petition under 37 CFR 1.182. In the absence of such a petition, it would not be appropriate to accept the declaration.

The instant petition requests relief on the basis that the "inventor has become married and now uses the name Kirsten Povel." However, this is not corroborated by a statement made on the basis of first-hand knowledge (e.g., by the inventor) attesting to the fact of the name change, and that the name appearing on the declaration identifies the same inventor who was nominated in the published international application. As such, it would not be appropriate to grant the petition on the basis of the present record.

DECISION

The petition is **DISMISSED**, without prejudice.

A proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision, extendable under 37 CFR 1.136(a)). Failure to timely file a proper response will result in **ABANDONMENT**.

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.

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